



**BILL LEE**  
GOVERNOR

STATE OF TENNESSEE  
**DEPARTMENT OF EDUCATION**  
NINTH FLOOR, ANDREW JOHNSON TOWER  
710 JAMES ROBERTSON PARKWAY  
NASHVILLE, TN 37243-0375

**PENNY SCHWINN**  
COMMISSIONER

**Via Electronic Mail**

May 2, 2023

Dr. Mike Winstead, Director of Schools  
Maryville City Schools  
833 Lawrence Avenue  
Maryville, TN 37803-4857

Re: Waiver for Average Class Size for K-12 Classes for 2023-24 School Year

Dear Director Winstead:

I am in receipt of your May 1, 2023 letter requesting a waiver of the class size average for all K-12 classes found in Tenn. Code Ann. § 49-1-104 for Maryville City Schools for the 2022-23 school year.

The commissioner's waiver authority under Tenn. Code Ann. § 49-1-201(d) is limited by Tenn. Code Ann. § 49-1-104(a), which states that "neither the commissioner nor the state board of education shall grant waivers from the maximum class sizes established in this section."

With the understanding that none of the K-12 classes in all eight schools within Maryville City Schools will exceed the maximum number of students per class specified in the above referenced law, your request for a waiver of the class size average is hereby granted for the 2023-24 school year.

Please do not hesitate to call me if you have further questions.

Sincerely,

Dr. Penny Schwinn  
Commissioner



Director of Schools  
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Assistant Director of Schools  
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May 1, 2023

Penny Schwinn, Commissioner  
Tennessee Department of Education  
Andrew Johnson Tower  
710 James Robertson Parkway  
Nashville, Tennessee 37243

Dear Commissioner Schwinn:

I am writing to request an extension of all class size average mandates in grades K-12 (T.C.A. 49-1-104). Maryville City has operated under the class size waiver since the 2015-16 school year. We would like to renew our waiver of all class size average mandates and continue to adhere to the class size maximums only. Our reason for this waiver request is directly related to Goal 1 of our Strategic Plan that calls for “all students to master core academic standards... while demonstrating a rigorous and relevant learning that goes beyond minimum requirements.” In support of this major goal, our Administrative Leadership Team is most interested in employing strategies that can expand the reach of our most effective teachers. Increasing the class size of selected teachers will require flexibility with the class-size average mandates.

Through our participation with the TDOE’s Compensation Accelerated Planning Cohort, we have designed a strategic compensation plan to include components that: (1) Have a high impact on student outcomes; (2) Have broad support; and (3) Require minimal investment or are budget neutral.

The main focus of our plan enables our highest performing teachers to move into differentiated school roles and responsibilities that leverage their skills. Being able to assign these teachers additional students or more challenging groups of students will capitalize on this “reach effect”: the increased percentage of students that excellent teachers reach in the course of their work as defined by the Public Impact research which was shared through the cohort.

At the elementary level, teachers assigned larger classes would be “compensated” by receiving an additional Teacher Assistant (currently we have one part-time TA per class). In grades 4-12 this strategy will focus primarily on increasing the size of our advanced classes. Compensation may be in the form of additional pay for these teachers. The strategy would be used as needed based on enrollment and teacher expertise. The model would operate on an opt-in, or elective choice, for the selected teachers.

Based on existing research that ties teaching effectiveness to student outcomes, this strategy was rated as a “high return” action in the findings of the Harvard Strategic Data Project, *Learning about Teacher Effectiveness: The SDP Human Capital Diagnostic*, Center for Education Policy Research, 2011. Waiving class-size average mandates will give us the flexibility we need to maximize the impact of our most effective teachers by having them teach more students. We fully believe it has helped advance our system toward our goals for student growth.

Thank you for your consideration.

Sincerely,

Mike Winstead  
Director of Schools

[www.maryville-schools.org](http://www.maryville-schools.org)

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